

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Park District Code is amended by changing  
5 Section 8-23 as follows:

6 (70 ILCS 1205/8-23)

7 Sec. 8-23. Criminal background investigations.

8 (a) An applicant for employment with a park district is  
9 required as a condition of employment to authorize an  
10 investigation to determine if the applicant has been convicted  
11 of any of the enumerated criminal or drug offenses in  
12 subsection (c) or (d) of this Section, or adjudicated a  
13 delinquent minor for ~~any~~ any of the enumerated criminal or drug  
14 offenses in subsection (c) or (d) of this Section, or has been  
15 convicted, within 7 years of the application for employment  
16 with the park district, of any other felony under the laws of  
17 this State or of any offense committed or attempted in any  
18 other state or against the laws of the United States that, if  
19 committed or attempted in this State, would have been  
20 punishable as a felony under the laws of this State.  
21 Authorization for the investigation shall be furnished by the  
22 applicant to the park district. Upon receipt of this  
23 authorization, the park district shall submit the applicant's

1 name, sex, race, date of birth, and social security number to  
2 the Department of State Police on forms prescribed by the  
3 Department of State Police. The Department of State Police  
4 shall conduct a search of the Illinois criminal history records  
5 database to ascertain if the applicant being considered for  
6 employment has been convicted of any of the enumerated criminal  
7 or drug offenses in subsection (c) or (d) of this Section, or  
8 adjudicated a delinquent minor for~~r~~ committing or attempting to  
9 commit any of the enumerated criminal or drug offenses in  
10 subsection (c) or (d) of this Section, or has been convicted of  
11 committing or attempting to commit, within 7 years of the  
12 application for employment with the park district, any other  
13 felony under the laws of this State. The Department of State  
14 Police shall charge the park district a fee for conducting the  
15 investigation, which fee shall be deposited in the State Police  
16 Services Fund and shall not exceed the cost of the inquiry. The  
17 applicant shall not be charged a fee by the park district for  
18 the investigation.

19 (b) If the search of the Illinois criminal history record  
20 database indicates that the applicant has been convicted of any  
21 of the enumerated criminal or drug offenses in subsection (c)  
22 or (d), or adjudicated a delinquent minor for~~r~~ committing or  
23 attempting to commit any of the enumerated criminal or drug  
24 offenses in subsection (c) or (d), or has been convicted of  
25 committing or attempting to commit, within 7 years of the  
26 application for employment with the park district, any other

1 felony under the laws of this State, the Department of State  
2 Police and the Federal Bureau of Investigation shall furnish,  
3 pursuant to a fingerprint based background check, records of  
4 convictions or adjudications as a delinquent minor, until  
5 expunged, to the president of the park district. Any  
6 information concerning the record of convictions or  
7 adjudications as a delinquent minor obtained by the president  
8 shall be confidential and may only be transmitted to those  
9 persons who are necessary to the decision on whether to hire  
10 the applicant for employment. A copy of the record of  
11 convictions or adjudications as a delinquent minor obtained  
12 from the Department of State Police shall be provided to the  
13 applicant for employment. Any person who releases any  
14 confidential information concerning any criminal convictions  
15 or adjudications as a delinquent minor of an applicant for  
16 employment shall be guilty of a Class A misdemeanor, unless the  
17 release of such information is authorized by this Section.

18 (c) No park district shall knowingly employ a person who  
19 has been convicted, or adjudicated a delinquent minor, for  
20 committing attempted first degree murder or for committing or  
21 attempting to commit first degree murder, a Class X felony, or  
22 any one or more of the following criminal offenses: (i) those  
23 defined in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50,  
24 11-1.60, 11-6, 11-9, ~~11-14~~, 11-14.3, 11-14.4, 11-15, 11-15.1,  
25 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,  
26 11-20.1B, 11-20.3, 11-21, 11-30 (if convicted of a Class 4

1 felony), 12-7.3, 12-7.4, 12-7.5, 12-13, 12-14, 12-14.1, 12-15,  
2 and 12-16 of the Criminal Code of 1961 or the Criminal Code of  
3 2012; (ii) (blank); ~~those defined in the Cannabis Control Act,~~  
4 ~~except those defined in Sections 4(a), 4(b), and 5(a) of that~~  
5 ~~Act;~~ (iii) (blank); ~~those defined in the Illinois Controlled~~  
6 ~~Substances Act;~~ (iv) (blank); ~~those defined in the~~  
7 ~~Methamphetamine Control and Community Protection Act;~~ and (v)  
8 any offense committed or attempted in any other state or  
9 against the laws of the United States, which, if committed or  
10 attempted in this State, would have been punishable as one or  
11 more of the foregoing offenses. Further, no park district shall  
12 knowingly employ a person who has been found to be the  
13 perpetrator of sexual or physical abuse of any minor under 18  
14 years of age pursuant to proceedings under Article II of the  
15 Juvenile Court Act of 1987. No park district shall knowingly  
16 employ a person for whom a criminal background investigation  
17 has not been initiated.

18 (d) No park district shall knowingly employ a person who  
19 has been convicted of the following drug offenses, other than  
20 an offense set forth in subsection (c), until 7 years following  
21 the end of the sentence imposed for any of the following  
22 offenses: (i) those defined in the Cannabis Control Act, except  
23 those defined in Sections 4(a), 4(b), 4(c), 5(a), and 5(b) of  
24 that Act; (ii) those defined in the Illinois Controlled  
25 Substances Act; (iii) those defined in the Methamphetamine  
26 Control and Community Protection Act; and (iv) any offense

1 committed or attempted in any other state or against the laws  
2 of the United States, which, if committed or attempted in this  
3 State, would have been punishable as one or more of the  
4 foregoing offenses. For purposes of this paragraph, "sentence"  
5 includes any period of supervision or probation that was  
6 imposed either alone or in combination with a period of  
7 incarceration.

8 (e) Notwithstanding the provisions of subsections (c) and  
9 (d), a park district may, in its discretion, employ a person  
10 who has been granted a certificate of good conduct under  
11 Section 5-5.5-25 of the Unified Code of Corrections by the  
12 circuit court.

13 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;  
14 97-1150, eff. 1-25-13.)

15 Section 10. The Chicago Park District Act is amended by  
16 changing Section 16a-5 as follows:

17 (70 ILCS 1505/16a-5)

18 Sec. 16a-5. Criminal background investigations.

19 (a) An applicant for employment with the Chicago Park  
20 District is required as a condition of employment to authorize  
21 an investigation to determine if the applicant has been  
22 convicted of any of the enumerated criminal or drug offenses in  
23 subsection (c) or (d) of this Section, or adjudicated a  
24 delinquent minor for~~7~~ any of the enumerated criminal or drug

1 offenses in subsection (c) or (d) of this Section, or has been  
2 convicted, within 7 years of the application for employment  
3 with the Chicago Park District, of any other felony under the  
4 laws of this State or of any offense committed or attempted in  
5 any other state or against the laws of the United States that,  
6 if committed or attempted in this State, would have been  
7 punishable as a felony under the laws of this State.  
8 Authorization for the investigation shall be furnished by the  
9 applicant to the Chicago Park District. Upon receipt of this  
10 authorization, the Chicago Park District shall submit the  
11 applicant's name, sex, race, date of birth, and social security  
12 number to the Department of State Police on forms prescribed by  
13 the Department of State Police. The Department of State Police  
14 shall conduct a search of the Illinois criminal history record  
15 information database to ascertain if the applicant being  
16 considered for employment has been convicted of any of the  
17 enumerated criminal or drug offenses in subsection (c) or (d)  
18 of this Section, or adjudicated a delinquent minor for  
19 committing or attempting to commit any of the enumerated  
20 criminal or drug offenses in subsection (c) or (d) of this  
21 Section, or has been convicted of committing or attempting to  
22 commit, within 7 years of the application for employment with  
23 the Chicago Park District, any other felony under the laws of  
24 this State. The Department of State Police shall charge the  
25 Chicago Park District a fee for conducting the investigation,  
26 which fee shall be deposited in the State Police Services Fund

1 and shall not exceed the cost of the inquiry. The applicant  
2 shall not be charged a fee by the Chicago Park District for the  
3 investigation.

4 (b) If the search of the Illinois criminal history record  
5 database indicates that the applicant has been convicted of any  
6 of the enumerated criminal or drug offenses in subsection (c)  
7 or (d), or adjudicated a delinquent minor for~~r~~ committing or  
8 attempting to commit any of the enumerated criminal or drug  
9 offenses in subsection (c) or (d), or has been convicted of  
10 committing or attempting to commit, within 7 years of the  
11 application for employment with the Chicago Park District, any  
12 other felony under the laws of this State, the Department of  
13 State Police and the Federal Bureau of Investigation shall  
14 furnish, pursuant to a fingerprint based background check,  
15 records of convictions or adjudications as a delinquent minor,  
16 until expunged, to the General Superintendent and Chief  
17 Executive Officer of the Chicago Park District. Any information  
18 concerning the record of convictions or adjudications as a  
19 delinquent minor obtained by the General Superintendent and  
20 Chief Executive Officer shall be confidential and may only be  
21 transmitted to those persons who are necessary to the decision  
22 on whether to hire the applicant for employment. A copy of the  
23 record of convictions or adjudications as a delinquent minor  
24 obtained from the Department of State Police shall be provided  
25 to the applicant for employment. Any person who releases any  
26 confidential information concerning any criminal convictions

1 or adjudications as a delinquent minor of an applicant for  
2 employment shall be guilty of a Class A misdemeanor, unless the  
3 release of such information is authorized by this Section.

4 (c) The Chicago Park District may not knowingly employ a  
5 person who has been convicted, or adjudicated a delinquent  
6 minor, for committing attempted first degree murder or for  
7 committing or attempting to commit first degree murder, a Class  
8 X felony, or any one or more of the following criminal  
9 offenses: (i) those defined in Sections 11-1.20, 11-1.30,  
10 11-1.40, 11-1.50, 11-1.60, 11-6, 11-9, ~~11-14~~, 11-14.3,  
11 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1,  
12 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-30 (if  
13 convicted of a Class 4 felony), 12-7.3, 12-7.4, 12-7.5, 12-13,  
14 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961  
15 or the Criminal Code of 2012; (ii) (blank); ~~those defined in~~  
16 ~~the Cannabis Control Act, except those defined in Sections~~  
17 ~~4(a), 4(b), and 5(a) of that Act;~~ (iii) (blank); ~~those defined~~  
18 ~~in the Illinois Controlled Substances Act;~~ (iv) (blank); ~~those~~  
19 ~~defined in the Methamphetamine Control and Community~~  
20 ~~Protection Act;~~ and (v) any offense committed or attempted in  
21 any other state or against the laws of the United States,  
22 which, if committed or attempted in this State, would have been  
23 punishable as one or more of the foregoing offenses. Further,  
24 the Chicago Park District may not knowingly employ a person who  
25 has been found to be the perpetrator of sexual or physical  
26 abuse of any minor under 18 years of age pursuant to

1 proceedings under Article II of the Juvenile Court Act of 1987.  
2 The Chicago Park District may not knowingly employ a person for  
3 whom a criminal background investigation has not been  
4 initiated.

5 (d) The Chicago Park District shall not knowingly employ a  
6 person who has been convicted of the following drug offenses,  
7 other than an offense set forth in subsection (c), until 7  
8 years following the end of the sentence imposed for any of the  
9 following offenses: (i) those defined in the Cannabis Control  
10 Act, except those defined in Sections 4(a), 4(b), 4(c), 5(a),  
11 and 5(b) of that Act; (ii) those defined in the Illinois  
12 Controlled Substances Act; (iii) those defined in the  
13 Methamphetamine Control and Community Protection Act; and (iv)  
14 any offense committed or attempted in any other state or  
15 against the laws of the United States, which, if committed or  
16 attempted in this State, would have been punishable as one or  
17 more of the foregoing offenses. For purposes of this paragraph,  
18 "sentence" includes any period of supervision or probation that  
19 was imposed either alone or in combination with a period of  
20 incarceration.

21 (e) Notwithstanding the provisions of subsection (c) or  
22 (d), the Chicago Park District may, in its discretion, employ a  
23 person who has been granted a certificate of good conduct under  
24 Section 5-5.5-25 of the Unified Code of Corrections by the  
25 Circuit Court.

26 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;

1 97-1150, eff. 1-25-13.)

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.